

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION**

**MDL 2724  
16-MD-2724**

**THIS DOCUMENT RELATES TO:**

*State Attorneys General Litigation*

**HON. CYNTHIA M. RUFÉ**

**ORDER**

**AND NOW**, this 19th day of May 2022, upon consideration of the attached Joint Stipulation on the Resolution between Plaintiff State of South Carolina and Defendants regarding the 12<sup>th</sup> Report and Recommendation, it is hereby **ORDERED** that the Joint Stipulation is **APPROVED**.

It is so **ORDERED**.

**BY THE COURT:**

*/s/ Cynthia M. Rufe*

CYNTHIA M. RUFÉ, J.

**IN THE UNITED STATES COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION**

**MDL 2724  
16-MD-2724**

**THIS DOCUMENT RELATES TO:**  
  
*ALL ACTIONS*

**HON. CYNTHIA M. RUFÉ**

**JOINT STIPULATION ON THE RESOLUTION BETWEEN PLAINTIFF STATE OF  
SOUTH CAROLINA AND DEFENDANTS REGARDING THE 12TH REPORT AND  
RECOMMENDATION**

WHEREAS, on April 12, 2022, Special Master David Marion issued his Twelfth Report and Recommendation as to the States' Motion for Protective Order (Re RFP 68) (ECF No. 2050) ("12th R&R");

WHEREAS, on May 9, 2022, the State of South Carolina ("South Carolina") filed Objections to the Special Master's Twelfth Report and Recommendation (ECF No. 2082);

WHEREAS, the Plaintiff State of South Carolina and the Defendants have met and conferred to resolve the issues underlying the 12th R&R.

It is hereby stipulated and agreed, by the undersigned counsel, that South Carolina will satisfy Defendants' Request for Production No. 68 by searching for and producing or facilitating the production of any reports, analyses, or studies (including any drafts and underlying data or documents that relate to such reports, analyses, or studies) relating to the price or supply of generic pharmaceutical products that meet one or more of the following conditions:

1. Materials possessed and/or created by or for the South Carolina Office of the Attorney General;

2. Materials described by the South Carolina Public Benefit Authority's counsel, Stephen Van Camp, in his 5/3/2022 email "Generic Drugs Antitrust Litigation PEBA Response to Production Request"; and
3. Materials described by the South Carolina Department of Health and Human Services' counsel, Byron Roberts, in his 5/3/2022 email "In Re: Generic Pharmaceuticals Pricing Antitrust Litigation."

All documents collected and produced by the South Carolina Attorney General's Office, the South Carolina Public Employee's Benefit Authority, or the South Carolina Department of Health and Human Services in response to RFP 68 shall be treated as targeted documents (also referred to as "go-gets") as defined by the ESI Protocol.

Pursuant to this Stipulation, South Carolina withdraws its May 9, 2022, objection to the 12th R&R. This Stipulation resolves the States' Motion for Protective Order relating to RFP 68 as it applies to South Carolina and, with respect only to South Carolina, supersedes any order applicable to the Plaintiff States, generally, that might result from objections to the 12th R&R.

**IT IS SO STIPULATED.**

Dated: May 18, 2022

/s/ Clark Kirkland, Jr

Clark Kirkland, Jr  
Assistant Attorney General  
Office of the Attorney General State  
of South Carolina  
1000 Assembly Street  
Columbia, SC 29201  
Tel: (803) 734-0057  
Fax: (803) 734-0097  
ckirklandjr@scag.gov  
Counsel for Plaintiff State of South  
Carolina

Respectfully submitted,

/s/ Chul Pak

Chul Pak  
WILSON SONSINI GOODRICH & ROSATI  
1301 Avenue of the Americas, 40<sup>th</sup> Floor  
New York, NY 10019  
Tel: (212) 999-5800  
Fax: (212) 999-5899  
cpak@wsgr.com

/s/ Devora W. Allon

Devora W. Allon  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, NY 10022  
Tel: (212) 446-4800  
Fax: (212) 446-4900  
devora.allon@kirkland.com

/s/ Ryan T. Becker

Ryan T. Becker  
FOX ROTHSCHILD LLP  
2000 Market Street, 20th Floor  
Philadelphia, PA 19103  
Tel: (215) 299-2033  
Fax: (215) 299-2150  
rbecker@foxrothschild.com

/s/ Sarah F. Kirkpatrick

Sarah F. Kirkpatrick  
WILLIAMS & CONNOLLY LLP  
725 Twelfth Street, NW  
Washington, DC 20005  
Tel: (202) 434-5000  
Fax: (202) 434-5029  
skirkpatrick@wc.com

/s/ Sheron Korpus

Sheron Korpus  
KASOWITZ BENSON TORRES LLP  
1633 Broadway  
New York, NY 10019  
Tel: (212) 506-1700  
Fax: (212) 506-1800  
skorpus@kasowitz.com

/s/ Allison Tanchyk  
Allison Tanchyk  
MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, PA 19103  
Tel: (215) 963-5847  
Fax: (215) 963-5001  
allison.tanchyk@morganlewis.com

*Defense Liaison Counsel*